

STATE OF WISCONSIN  
BEFORE THE VETERINARY EXAMINING BOARD

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IN THE MATTER OF THE DISCIPLINARY  
PROCEEDINGS AGAINST

JANET SCHNELL, D.V.M.,  
RESPONDENT.

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FINAL DECISION AND ORDER

ORDER 0000479

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[Division of Enforcement Case # 06 VET 010]

The parties to this action for the purposes of Wis. Stat. § 227.53 are:

Janet Schnell, D.V.M.  
16244 S. Swedish Highway  
Dairyland, WI 54830

Division of Enforcement  
Department of Regulation and Licensing  
1400 East Washington Avenue  
P.O. Box 8935  
Madison, WI 53708-8935

Wisconsin Veterinary Examining Board  
Department of Regulation & Licensing  
1400 East Washington Avenue  
P.O. Box 8935  
Madison, WI 53708-8935

PROCEDURAL HISTORY

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Veterinary Examining Board. The Board has reviewed the attached Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Janet Schnell, D.V.M., (D.O.B.: December 1, 1943) is duly licensed as a veterinarian in the state of Wisconsin (license # 50-3045). This license was first granted on July 8, 1987.

2. Respondent's most recent address on file with the Wisconsin Veterinary Examining Board is 16244 S. Swedish Highway, Dairyland, Wisconsin 54830.

3. At all times relevant to this action, Respondent was working as a veterinarian at the Dairyland Veterinary Clinic in Dairyland, Wisconsin.

4. On December 16, 2005, Marie and Larry Nelson brought their 6 year old Corgi, "Nels", to the Respondent with a complaint of a right foreleg limp. The Respondent performed a new patient physical examination of the dog which she felt to be normal with the exception of the following orthopedic findings: "R. scapula posterior right, elbow is tight, lower foreleg is edematous and moving clockwise." Her assessment was "tight bl, brachiocephalic (sic) tight on R. L. atlas posterior, normal vet exam, ears not checked." The Respondent performed an adjustment using veterinary spinal manipulative therapy ("VSMT") to one of the dog's legs.

5. The Respondent's December 16, 2005 record does not document the primary complaint or the results of an exam of the eyes, ears, or teeth. Respondent also failed to note that she performed an auscultation or an abdominal palpation. The office note is not signed by the Respondent and does not indicate a temperature, pulse or respiration.

6. On January 2, 2006, the Corgi was presented to the Respondent for additional treatment. Respondent performed adjustments to the dog's scapula and cervical spine. She noted "chiro w/muzzle, Atlas R central and anterior, cervical counterclockwise, exam ears looked fine".

7. The Respondent's January 2, 2006 record does not document the results of a physical examination, other than an exam of the ears. The office note is not signed by the Respondent.

8. On January 11, 2006, the Corgi was presented to the Respondent for additional treatment. Respondent provided VSMT treatment to the ileum, medial canter and mandible.

9. The Respondent's January 2, 2006 record is not signed by the Respondent and does not reflect the patient and owner names.

#### CONCLUSIONS OF LAW

1. The Wisconsin Veterinary Examining Board has jurisdiction to act in this matter, pursuant to Wis. Stat. § 453.07(2), and is authorized to enter into the attached Stipulation and Order, pursuant to Wis. Stat. § 227.44(5).

2. Respondent's conduct of failing to maintain adequate patient medical records as required by Wis. Admin. Code § VE 7.03, as described in paragraphs 4 through 9, above, constitutes a violation of Wis. Stat. § 453.07(2)(a) and Wis. Admin. Code § VE 7.06(15).

## ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Janet Schnell, D.V.M., is hereby REPRIMANDED.

IT IS FURTHER ORDERED that:

2. Respondent shall, within six (6) months from the date of this Order, successfully complete the Wisconsin Veterinary Medical Association's record-keeping course. The course(s) attended in satisfaction of this requirement may not be used to satisfy the statutory continuing education requirements for licensure.

3. Respondent shall be responsible for obtaining the course(s) required under this Order, for providing adequate course descriptions to the Department Monitor, and for obtaining pre-approval of the courses from the Wisconsin Veterinary Examining Board, or its designee, prior to commencement of the programs. All costs of the educational programs shall be the responsibility of the Respondent.

4. Within thirty (30) days following completion of the course(s) identified in paragraph 2 above, Respondent shall file with the Department Monitor certifications from the sponsoring organization(s) verifying his attendance at the required courses.

5. Respondent shall, within ( 90 ) days from the date of this Order, pay costs of this proceeding in the amount of EIGHT HUNDRED (\$ 800.00) dollars. Payment shall be made payable to the Wisconsin Department of Regulation and Licensing, and mailed to:

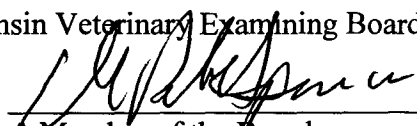
Department Monitor  
Division of Enforcement  
Department of Regulation and Licensing  
P.O. Box 8935  
Madison, WI 53708-8935  
Telephone (608) 267-3817  
Fax (608) 266-2264

6. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to timely submit payment of the costs or fails to comply with the ordered continuing education as set forth above, the Respondent's license (# 50-3045) may, in the discretion of the board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of the costs or completion of the continuing education.

7. This Order is effective on the date of its signing.

Wisconsin Veterinary Examining Board

By:

  
A Member of the Board

10-20-10

Date